

Coast Guard, DOT

§ 187.307

to a nonparticipating State, by indicating the new State and notifying the Coast Guard.

[CGD 89-050, 60 FR 20315, Apr. 25, 1995, as amended by CGD 97-023, 62 FR 33365, June 19, 1997]

§ 187.203 Voluntary provisions for participating States.

A participating State may—

(a) Provide VIS with the optional information listed in subpart B of this part;

(b) Make updated information provided by the vessel owner, government agency or lienholder, available to VIS regarding a vessel that has been moved to a nonparticipating State; and

(c) Interact with nonparticipating States to make information available to, or request information from, VIS concerning a vessel or nationwide statistics.

Subpart D—Guidelines for State Vessel Titling Systems

EFFECTIVE DATE NOTE: At 61 FR 6943, Feb. 23, 1996, subpart D is suspended through April 23, 1998. At 63 FR 19658, Apr. 21, 1998, the effective date of subpart D was further delayed until Apr. 24, 1999. At 64 FR 19039, Apr. 19, 1999, the effective date of subpart D was further delayed until Oct. 24, 1999.

§ 187.301 Eligibility for preferred mortgage status.

A State vessel titling system that meets the requirements of this subpart may be certified by the Commandant under 46 U.S.C. 31322 (d)(1)(A), in accordance with the procedures of § 187.9, as complying with the guidelines for vessel titling systems for the purpose of conveying preferred mortgage status on mortgages perfected after the date of certification, covering the whole of a vessel titled in that State, provided that the State also complies with the vessel identification system participation requirements of § 187.7 and subpart C of this part.

§ 187.303 Definitions.

A State must define the terms, “certificate of origin”, “dealer”, “department” or “division”, “documented vessel”, “issuing authority”, “lienholder”, “manufacturer”,

“owner”, “person”, “security interest”, “titling authority”, and “vessel”, substantially as those terms are defined in § 187.3.

§ 187.305 Application for title.

(a) Except as provided in § 187.307, a State must require application for a title within a specified period of time, not to exceed 60 days, after a vessel is first purchased, ownership is transferred, or there is a change in vessel data listed on the certificate of title.

(b) A State must require disclosure of the existence of indebtedness covered by any security agreement pertaining to the vessel in its titling application form.

(c) The title application must include an entry for identification of the State or country in which the vessel was last numbered or titled, if applicable.

(d) A State must require that the title application include a signed certification that statements made are true and correct to the best of the applicant's knowledge, information and belief, under penalty of perjury.

§ 187.307 Dealer and manufacturer provisions.

A State must include the following provisions for dealers or manufacturers, building, buying, acquiring, or transferring vessels, in that State.

(a) Dealers must be required to either report acquisition of a used numbered vessel for resale, or, apply for certificate of title if such vessel is required to be titled.

(b) Dealers must be allowed to apply for a certificate of title for a new vessel acquired for resale.

(c) Dealers and manufacturers must be required to provide to the vessel owner a certificate of origin, or other document, at the time of delivery of a new vessel to initiate the chain of ownership.

(d) Dealers and manufacturers must be required to maintain for at least 3 years a record of any vessel bought, sold, exchanged, or received for sale or exchange, and have such records open for inspection by the State.